

Instructions for Completing the Approved Program Capacity & Noncontiguous Clearance Form, attachment #2

PURPOSE

The Approved Program Capacity (APC) & Noncontiguous Clearance Form, attachment #1, hereafter referred to as “APC and Noncontiguous Form,” is to be used to comply with requirements contained in 55 Pa. Code Chapter 51, 55 Pa. Code Chapter 6100 when published and the Consolidated, Person/Family Directed Support, and Community Living waivers.

USE OF THIS FORM

- Required when opening a new Residential Service location to provide Residential Habilitation, including Respite Only Homes, Life Sharing, or Supported Living. This includes requesting a relocation of an existing service location;
- Required when opening a new Community Participation Support facility which includes licensed Adult Training Facilities, Vocational Facilities, and Older Adult Day Living Centers. This includes requesting a relocation of an existing service location;
- Required when closing an existing Residential Service location or Community Participation Support facility; and/or
- Required when changing current APC for a Licensed or Unlicensed Residential Service location.

The beginning of this document, “SECTION 1: FORM PREPARATION,” is designed to guide each provider type (Unlicensed or Licensed Residential Service providers and Licensed Community Participation Support providers) on filling out the required specific sections and when to begin the process of filling out the APC and Noncontiguous Form.

The second part of this document, “SECTION 2: FORM INSTRUCTIONS,” is the detailed instructions relating to the specific sections on the form. It is advised to have the APC and Noncontiguous Form displayed while reading over this document.

SECTION 1: FORM PREPARATION

For all providers:

- This form is completed by the provider who is responsible for the service being rendered at the requested service location.
- Every provider filling out this form must complete Section A.
- The provider can only make one request per service location per form.
 - Providers requesting for Noncontiguous Clearance, the form needs to be completed for the requested location prior to licensing.
 - Providers requesting for program capacity, the approval is not retroactive.
 - If a provider needs to make two or more requests, each request must be submitted to the Regional Waiver Capacity Manager on a separate form with all required information completed.
 - Since only one request per form is allowed, the provider is expected to complete two sections of the form, which always includes Section A.

- After the APC and Noncontiguous Form has been completed by the provider, the form should be emailed to the Regional Waiver Capacity Manager that covers the geographic area where the service locations are located (*see Regional Waiver Capacity Manager Contact Information*, attachment #3).
 - Once a determination has been made by the Regional Waiver Capacity Manager, the form will be emailed back to the provider.

Noncontiguous Clearance for Community Participation Support facilities:

Effective after the first 120 days of publication of the 55 Pa. Code Chapter 6100 regulations, when the provider is requesting to open a new Community Participation Support facility, including relocation of an existing Community Participation Support facility location, there are specific steps that must be completed. Providers should follow the steps in order as written, and proceed to the designated section on the form to begin the process.

- First, the provider must fill out the APC and Noncontiguous Form and apply for Noncontiguous Clearance (**Section B**).
- Second, the Regional Waiver Capacity Manager will determine if the Community Participation Support facility is noncontiguous by documenting the determination on the APC and Noncontiguous Form and then will send the form back to the provider.
- Third, when the provider receives the form back and Noncontiguous Clearance was approved, the provider must go through licensing to receive the location’s licensed capacity (*See APC and Noncontiguous Communication*, for licensing information).

If a provider is requesting to close a Community Participation Support facility, proceed to **Section G** for further form instructions.

Noncontiguous Clearance and APC for Residential Service providers:

Effective after the first 120 days of publication of the 55 Pa. Code Chapter 6100 regulations, when the provider is requesting to open a new Residential Service location (including relocation of an existing Residential Service location), there are specific steps that must be completed. The steps differ slightly depending on the specific Residential Service provided. Providers should follow the steps in order as written and proceed to the designated section on the form to begin the process.

For providers requesting to open a new Licensed Residential Service location (including relocation of an existing Residential Service location) that includes *Residential Habilitation* and *Life Sharing* providers:

- First, the provider must fill out the APC and Noncontiguous Form and apply for Noncontiguous Clearance (**Section C**).
- Second, the Regional Waiver Capacity Manager will determine that the Residential Service location is noncontiguous by documenting the determination on the APC and Noncontiguous Form and then will send the form back to the provider.

- Third, when the provider receives the form back and Noncontiguous Clearance was approved, the provider must go through licensing to receive the location's licensed capacity (*See APC and Noncontiguous Communication*, for licensing information)
- Fourth, the provider must fill out the APC and Noncontiguous Form and apply for APC **(Section D)**.
 - When submitting the form, the licensing certificate of compliance must be attached verifying that the requested service location is licensed.
- Lastly, the Regional Waiver Capacity Manager will verify the APC by documenting the determination on the APC and Noncontiguous Form and then will send the form back to the provider.

For providers requesting to open a new Licensed *Respite only home*, licensed under 55 Pa. Code Chapter 6400 (including relocation of an existing Respite-only home location) that solely provides respite services in the home:

- The provider must fill out the APC and Noncontiguous Form and apply for APC **(Section D)**.
 - When submitting the form, the licensing certificate of compliance must be attached verifying that the requested service location is licensed.
- The Regional Waiver Capacity Manager will verify the APC by documenting the determination on the APC and Noncontiguous Form and then will send the form back to the provider.

For providers requesting to open a new *Unlicensed* Residential Service location (including relocation of an existing Unlicensed Residential Service location) that includes *Residential Habilitation* and *Life Sharing*:

- First, the provider must fill out the APC and Noncontiguous Form and apply for Noncontiguous Clearance and APC. For Unlicensed Residential Service providers, this step can be done at the same time by filling out the two related sections **(Section C & Section E)**.
- Lastly, the Regional Waiver Capacity Manager will determine if the Residential Service location is noncontiguous and will verify the APC by documenting the determination on the APC and Noncontiguous Form and then will send the form back to the provider.

For providers requesting to open a new Unlicensed Residential Service location (including relocation of an Unlicensed Residential Service location) to provide *Supported Living*:

- The provider must fill out the APC and Noncontiguous Form and apply for APC **(Section E)**.
- The Regional Waiver Capacity Manager will verify the APC by documenting the determination on the APC and Noncontiguous Form and then will send the form back to the provider.

If the provider is requesting *to change* current the APC for a Residential Service location, proceed to **Section F** or if the provider is requesting *to close* a Residential Service location, proceed to **Section G** for further form instructions.

SECTION 2: FORM INSTRUCTIONS

Section A

The following instructions pertain to all Residential Service locations and Community Participation Support facilities where APC or Noncontiguous Clearance is being requested.

To complete this section, the provider must:

- Enter the legal entity's name as listed on IRS documentation.
- Enter the address location that is requesting APC or noncontiguous clearance for a service location
- Enter the contact name, phone number, and email of the person who is filling out the APC and Noncontiguous Form;
- Enter the waiver provider's MPI number and the service location code
- Check the box that describes the type of service location that is requesting APC or noncontiguous clearance;
- Enter the address of the service location for which the request is being made;
- Check the type of request that is being made for the service location; then
- Proceed to the section specified next to the checked box from the previous completed step.

Section B

The following instructions pertain to providers requesting to open a new Community Participation Support facility (including relocation of an existing Community Participation Support facility) to establish Noncontiguous Clearance after the first 120 days of publication of the 55 Pa. Code Chapter 6100 regulations.

The provider must inform the Regional Waiver Capacity Manager of any Residential Service locations, Community Participation Support facilities, or any other human service locations the provider is aware of that are adjacent to the Community Participation Support facility being requested for Noncontiguous Clearance, along with any Skilled Nursing Facility or Hospital that that Community Participation Support Facility is located in.

This is completed by filling out the two parts of Section B.

1. The first part, the provider must check the box(es) if the requested Community Participation Support Facility is adjacent to:
 - Licensed Child Residential Services (55 Pa. Code Chapter §3800)
 - Licensed Community Residential Rehabilitation Services for the Mentally Ill (CRRS) (44 Pa. Code Chapter §5310)
 - Licensed Personal Care Homes (55 Pa. Code Chapter §2600)
 - Licensed Assisted Living Residences (55 pa. Code Chapter §2800)
 - Licensed or Unlicensed Family Living Homes (55 Pa. Code Chapter §6500)
 - Licensed and Unlicensed Community Homes for Individuals with an Intellectual Disability or Autism (55 Pa. Code Chapter 6400)
 - Licensed Adult Training Facilities (ATF) (55 Pa. Code Chapter 2380)

- Licensed Vocational Facilities (55 Pa. Code Chapter 2390)
- Licensed Older Adult Daily Living Centers (6 Pa. Code Chapter 11)
- Licensed public and private Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/ID) (55 Pa. Code Chapter 6600)
- Unlicensed Supported Living

If the Community Participation Supports Facility is adjacent to any of the locations identified in Section B, and the name of the location is known, enter the name and address of the location.

If there are no facilities that the Community Participation Support Facility is adjacent to, check the box next to “none of the above apply”.

2. The second part, the provider must check the box(es) if the requested Community Participation Support Facility is located in, attached or adjacent to:

- Skilled Nursing Facility (55 Pa. Code Chapter 201)
- Hospital

If the Community Participation Supports Facility is located in any of the locations identified in Section B, and the name of the location is known, enter the name and address of the location.

If there are no facilities that the Community Participation Support Facility is in or adjacent to, check the box next to “none of the above apply”.

Section C

The following instructions pertains to providers requesting to open a new Residential Service location (including relocation of an existing Residential Service location) to establish Noncontiguous Clearance.

The provider must inform the Regional Waiver Capacity Manager of any Residential Service locations, Community Participation Support facilities, or any other human service locations the provider is aware of that are adjacent to the Residential Service location being requested for Noncontiguous Clearance.

Section C is completed by the provider checking the box(es) that describes the type of facility adjacent to the Residential Service location. Settings that share only one common party wall, side-by-side, or back-to-back do not need Noncontiguous Clearance, therefore, these locations should not be marked in Section C.

- Licensed Child Residential Services (55 Pa. Code Chapter §3800)
- Licensed and Unlicensed Community Residential Rehabilitation Services for the Mentally Ill (CRRS) (44 Pa. Code Chapter §5310)
- Licensed Personal Care Homes (55 Pa. Code Chapter §2600)
- Licensed Assisted Living Residences (55 pa. Code Chapter §2800:
- Licensed or Unlicensed Family Living Homes (55 Pa. Code Chapter §6500)
- Community Homes for Individuals with an Intellectual Disability or Autism (55 Pa. Code Chapter 6400):

- Licensed Adult Training Facilities (ATF) (55 Pa. Code Chapter 2380)
- Licensed Vocational Facilities (55 Pa. Code Chapter 2390)
- Licensed Older Adult Daily Living Centers (6 Pa. Code Chapter 11)
- Licensed public and private Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/ID) (55 Pa. Code Chapter 6600)
- Unlicensed Supported Living

Section D

The following instructions pertain to providers requesting to open a new Licensed Residential Service location (including relocation of an existing Residential Service location) that will need to obtain APC.

To complete this section, the provider must:

- Enter the license effective date;
- Check the box next to “Submitted licensing certificate of compliance (with this form) verifying the requested service location is licensed”
 - When submitting the form, the certificate of compliance must be attached verifying that the requested service location is licensed. This application will not be approved by the Regional Waiver Capacity Manager without documentation of the license.
- Enter the licensed capacity;
- Enter the requested APC date;
- Enter the requested program capacity; and
- Enter the justification for requested program capacity.

(Initial APC for a new Service Location Code will be entered in the Provider’s HCSIS screen by the Provider Enrollment Unit, in accordance to the Approval Letter provided by the Regional Waiver Capacity Manager.)

Section E

The following instructions pertain to providers requesting to open a new Unlicensed Residential Service location (including relocation of an existing Unlicensed Residential Service location) that will need to obtain APC.

To complete this section, the provider must:

- Enter the requested APC date;
- Enter the requested program capacity for the service location; and
- Enter the justification for requested program capacity by describing of how the change of the APC will meet the service location size, staffing patterns, assessed needs, and outcomes for the individual(s) in the service location.

Section F

The following instructions pertain to all providers (Licensed and Unlicensed) that render Residential Services that are requesting to change their current APC.

To complete this section, the provider must:

- Enter the current APC;
- Enter the requested change of the APC;
- Enter the current approved licensed capacity;
- Check the box next to “Submitted a letter/email (with this form) with the county approval of increase or decrease of the previous approved program capacity”;
 - When submitting this form, the provider must attach documentation showing county approval of the requested program capacity (this step must be done before applying for APC). This application will not be approved by the Regional Waiver Capacity Manager without documented county approval.
- Enter a description of how the change of the APC will meet the service location size, staffing patterns, assessed needs, and outcomes for the individual(s) in the service location.

(Regional Waiver Capacity Manager will change the APC in the Provider HCSIS screen according to their determination. This is visible via the following path: PROVIDER>>>PROGRAM CAPACITY.)

Section G

The following instructions pertain to all Residential and Community Participation Supports providers that are requesting to close a Residential Service location or a Community Participation Supports facility.

To complete this section, the provider must:

- Enter the current APC;
- Enter the requested date of closure;
- Enter a description of the reason for the request to close the service location; and
- Enter a description of the timeframe and transition plans for the individuals that are currently receiving services at the location.

COMPLETION OF FORM

Upon completion of the APC and Noncontiguous Form, send the form to the Regional Waiver Capacity Manager, along with any further questions regarding the APC and noncontiguous clearance process. After the Regional Waiver Capacity Manager verifies the information and makes a determination, the form will be sent back to the provider along with the individual’s Administrative Entities who were impacted.

RELATED ATTACHMENTS

- Attachment #1: Request for Approved Program Capacity & Noncontiguous Clearance Form
- Attachment #3: Regional Waiver Capacity Managers Contact Information.